

REMARKS

Claims 1 and 3-10 are pending in the application. The Examiner rejected Claims 1, 3, 5-7, 9 and 10 under 35 U.S.C. §103(a) as being unpatentable over Barrett et al. (U.S. 5,943,628) in view of McCarthy (US 5,373,548) and Rydbeck (U.S. Patent 5,590,417). The Examiner rejected Claims 4 and 8 under 35 U.S.C. §103(a) as being unpatentable over Barrett et al. in view of McCarthy, Rydbeck and further in view of “Novakov” (U.S. Patent 6,650,871) (it is respectfully submitted that “Novakov” is incorrectly referred to as the inventor of the ‘871 patent, when it is actually Cannon et al.).

Regarding Claims 1 and 10, each of these claims recites “a slave communication system provided by a wearable earphone which includes a speaker and a microphone to facilitate hands-free communication, and having a second short-range radio communication module, wherein said first control section transmits a warning sound signal to the slave communication system to generate a specified warning sound when said first control section determines that a distance between the master communication system and the slave communication system is greater than a predetermined range.” Barrett et al. discloses a radiotelephone proximity detector. McCarthy discloses an out-of-range warning system for a cordless telephone. The new reference, Rydbeck, discloses a radiotelephone apparatus including a wireless handset. Cannon et al. discloses a cordless RF range extension for wireless piconets. The headset disclosed in Rydbeck only receives voice signals associated with a call, and does not receive any warning sound signals from its radiotelephone body. Based on at least the foregoing argument, withdrawal of the rejections of Claims 1 and 10 is respectfully requested.

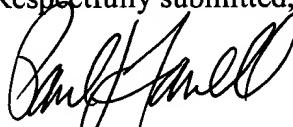
Regarding Claim 5, Claim 5 recites, “transmitting a warning sound signal to the short range communication module of the earphone”. Similar to the arguments presented above, none of the cited references discloses that a warning sound signal is transmitted to the short range communication module of the earphone. Based on at least the foregoing argument, withdrawal

of the rejection of Claim 5 is respectfully requested.

Independent Claims 1, 5 and 10 are believed to be in condition for allowance. Without conceding the patentability *per se* of dependent Claims 3, 4 and 6-9, it is submitted that these dependent claims are allowable at least by virtue of their dependency upon their respective base claims. Withdrawal of the rejections of Claims 3, 4 and 6-9 is respectfully requested.

Accordingly, it is believed that all of the claims pending in the application, namely Claims 1 and 3-9 are in condition for allowance.

Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner is requested to contact Applicant's attorney at the number given below.

Respectfully submitted,

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